

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

THE GENERAL CONVENTION OF THE NEW JERUSALEM IN THE UNITED STATES OF AMERICA, INC., THE MASSACHUSETTS ASSOCIATION OF THE NEW JERUSALEM (SWEDENBORGIAN), and GEORGE CHAPIN,

Plaintiffs,

v.

EDWARD MACKENZIE, THOMAS KENNEDY, BOSTON SOCIETY OF THE NEW JERUSALEM, INCORPORATED (SWEDENBORGIAN), and BOSTONVIEW CORPORATION,

Defendants.

C.A. No. 04 10419 WGY

**PLAINTIFFS' EMERGENCY MOTION FOR LEAVE  
TO FILE CONFIDENTIAL DOCUMENTS  
ONLY WITH JUDGE YOUNG'S CLERK**

Defendants in this matter have filed motions to dismiss based on the recent execution of a Consent Judgment with the Attorney General. The Consent judgment, however, indicates that MacKenzie, Kennedy and others have misappropriated funds from the Church and Bostonview. The Church has also produced documents which evidence numerous acts which Plaintiffs allege support their claim that misappropriation and racketeering activities have occurred. The church has labeled these documents confidential. The Court's May 4, 2004 Order precludes the filing of confidential documents. Accordingly, Plaintiffs request leave to file documents which Defendants have deemed to be confidential in opposition to the Defendants' Motion to Dismiss. The Plaintiffs will file the documents only by having a Holland & Knight attorney deliver them in hand directly to a Clerk for Judge Young.

WHEREFORE, Plaintiffs request that their Motion for Leave to File Confidential Documents Only With the Judge Young's Clerk be allowed.

THE GENERAL CONVENTION OF THE NEW JERUSALEM IN THE UNITED STATES OF AMERICA, INC., THE MASSACHUSETTS ASSOCIATION OF THE NEW JERUSALEM (SWEDENBORGIAN) and GEORGE CHAPIN,

By their attorneys,

**HOLLAND & KNIGHT LLP**

/s/ Christopher J. Trombetta

Geoffrey E. Hobart (BBO No. 547499)  
Christopher J. Trombetta (BBO No. 556923)  
Damon P. Hart (BBO No. 644586)  
10 St. James Avenue  
Boston, MA 02116  
(617) 523-2700

Dated: June 16, 2004

**CERTIFICATE OF COMPLIANCE WITH L.R. 7.1 AND 37.1**

I hereby certify that, prior to filing this motion, I conferred by telephone with Nicholas Rosenberg, counsel for Boston Society of the New Jerusalem, Incorporated and Bostonview Corporation, on June 16, 2004, in an effort to resolve the issues raised by this motion without the need for intervention by this Court. Those efforts were not successful.

/s/ Damon P. Hart  
Damon P. Hart